

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

RAFAEL LESEAN RASHEED LOPEZ, )  
Plaintiff, )  
 )  
v. ) CIVIL NO. 3:16cv24 (JAG)  
 )  
CAROLYN W. COLVIN, )  
Acting Commissioner of Social Security, )  
Defendant. )  
\_\_\_\_\_

**ORDER**

This matter is before the Court on the Report and Recommendation of the Magistrate Judge entered on October 13, 2016 (ECF No. 11). The time to file objections has expired and neither party has objected to the Report and Recommendation. Having considered the matter and deeming it otherwise proper and just to do so, it is hereby ORDERED:

- (1) The Report and Recommendation of the Magistrate Judge (ECF No. 11) is ACCEPTED and ADOPTED as the OPINION of the Court.
- (2) Plaintiff's Motion for Summary Judgment or in the Alternative, Motion for Remand (ECF Nos. 7 and 8) is GRANTED.
- (3) Defendant's Motion for Summary Judgment (ECF No. 10) is DENIED.
- (4) The decision of the Commissioner is VACATED and REMANDED.
- (5) This case is CLOSED.

Let the Clerk of the Court send a copy of this Final Order to all counsel of record.

It is so ORDERED.

/s/  
John A. Gibney, Jr.  
United States District Judge

Richmond, Virginia  
Date: 11/4/16